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Hernandez Amendment to Reform Initiative Process Moves Forward

Sacramento, CA – California State Assemblymember Dr. Ed Hernandez (D-West Covina) saw his constitutional amendment to reform California's ailing initiative system pass out of the Assembly Committee on Elections and Redistricting today.

"I was glad to see this proposal make progress" said Hernandez, "Our initiative system was created to provide an opportunity for the people to engage in direct democracy, but it has been hijacked by billionaires and special interests with their own agendas. It is time to take it back."

Hernandez' Assembly Constitutional Amendment 13 (ACA 13) will require any initiative attaining the requisite number of signatures that would qualify it for the ballot currently (5% of all registered voters for proposed statutes and 8% of all registered voters for constitutional amendments) to first be submitted to the Legislature for public hearings and a vote. During these hearings, proponents and opponents will have the opportunity to publicly address potential issues with the proposed measure. The Legislature will have 30 legislative days to consider and act on these initiatives.

"Over the last decade, Californians have been forced to vote on 63 different, complex initiatives. This ever-increasing number of ballot initiatives reveals an alarming trend for our state's priorities and long-term policies. California's legislative agenda is now run by ballot initiatives rather than the elected members of the Legislature" continued Hernandez, "This amendment puts the responsibility for deciding whether an initiative is good public policy squarely on the shoulders of those who are directly accountable to voters."

Under Hernandez' proposal, if proponents of an initiative accept legislative amendments and decide to withdraw their measure from the ballot, the Legislature would adopt it by floor vote in both houses. Any measure that creates a new statute or changes an existing one must be approved by a majority vote from members in both houses. A measure proposing an amendment to the Constitution must be approved by a two-thirds vote from members in both houses. Statutes passing out of both houses would be submitted to the Governor's office for signature, and constitutional amendments would be placed on the ballot for voter approval.

If supporters of a particular initiative decline the Legislature's amendments, or if their initiative fails passage in the Legislature, they can still have it placed directly on the ballot by collecting a higher threshold of signatures (10% of all registered voters for proposed statutes and 16% of all registered voters for constitutional amendments).

Hernandez proposal includes significant reforms to California's initiative process, but they are reforms that many have recognized as critical to ensuring good governance in the state. In fact, ACA 13 adopts several of the recommendations from the Center for Governmental Studies 2008 report "Democracy by Initiative." Robert Stern, President of the Center for Governmental Studies, provided each committee member a copy of the report during today's hearing.

"If we learned anything from this last series of initiatives in May, it is that voters are tired of having to bear the burden of state governance in the form of ballot initiatives" said Hernandez, "The only way we can make this work is to have the people who were elected to craft California's laws play a role in our initiative process."

Assemblymember Hernandez represents the 57th Assembly District, which includes the cities of Azusa, Baldwin Park, Covina, La Puente, West Covina, Irwindale, Industry, and other unincorporated areas of Los Angeles County.

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